



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105**

E-mail
Hand Delivered

April 1, 2008

Andrew Devegvar
Greka Oil and Gas, Inc.
a.k.a. Greka SMV, a.k.a. Greka Energy
6527 Dominion Road
Santa Maria, CA 93454

Re: EPA Takeover of Work at the Bell Tank Facility and Lease

Greka Oil and Gas, Inc. (Greka) has violated the Order for Removal, Mitigation or Prevention of a Substantial Threat of Oil Discharge, Docket No. OPA 311-09-2008-0002 ("the Order"). Pursuant to the April 1, 2008 letter Greka had to meet certain conditions pursuant to Section 25 of the Order. This items include:

- Greka was to prevent all discharges to the upper Bell wastewater ponds.
- Greka was to blind all pipes leading into the Bell wastewater ponds to prevent waste from the ponds from moving into or out of the ponds.
- Greka was to mark the locations of all subsurface pipes around the upper Bell wastewater ponds.

Greka has failed to meet these conditions. On April 19, 2008 and April 21, 2008, water from a pipe at the north end of the western Upper Bell Pond discharged oily water into the pond. The Greka Foreman, Francisco Munoz identified the pipe as the original influent pipe for the pond. It also appears that the pipe may be interconnected to the eastern Upper Bell Pond. The location of this pipe was not marked by Greka. On April 21, 2008, EPA On-Scene Coordinator (OSC) Robert Wise observed Greka discharging water into the truck washout on the eastern Upper Bell Pond (see attached picture).

Greka is to immediately cease all discharges to the eastern Upper Bell Pond truck washout. Greka is also to remove all free liquid from the truck washout area.

Pursuant to Section 26 of the Order, Greka may be subject to fines and penalties for these violations of the Order.

If you have any questions please do not hesitate to contact OSC Robert Wise at (562) 889-2572 or for legal questions contact Michael Massey, Office of Regional Counsel at (415) 972-3034.

Sincerely,



Robert Wise
Emergency Response Section
Superfund Division

Greka Acknowledgement of Receipt

Date

cc: Michael Massey, EPA
Steve Calanog, EPA
Daniel Meer, EPA
Scott Adair, EPA
Mark Samolis, EPA
Jim Hanson, EPA
Patricia Port, US DOI
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